

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Art Unit: 1657
	)	
NILSSON, Dan	)	Examiner: AFREMOVA, V.
	)	
Serial No.: 10/658,376	)	Washington, D.C.
	)	
Filed: September 10, 2003	)	January 17, 2008
	)	
For: METABOLICALLY ENGINEERED	)	Docket No.: NILSSON=6B
LACTIC ACID BACTERIA...	)	
	)	Confirmation No.: 5425

REQUEST FOR CONTINUED EXAMINATION (RCE)

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop RCE  
401 Dulany Street  
Alexandria, VA 22314

S i r :

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**1. Submission required under 37 C.F.R. § 1.114 (must check "a" or "b")**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on October 16, 2007.  
(Any unentered amendment(s) referred to above will be entered)

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ DO NOT consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_.

b. ☒ Enclosed

i. ☒ Supplemental Amendment/Reply  
ii. ☐ Affidavit(s)/Declaration(s)  
iii. ☐ Information Disclosure Statement (IDS)  
iv. ☐ Other

**2. Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a

USSN - 10/658,376

period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).

b. ☐ Other

### 3. Fees

a. small entity status

☐ small entity status was previously asserted on \_\_\_\_\_.

☐ small entity status is now asserted.

b. Fee Calculation

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e): \$

☐ 405.00 (small entity) ☒ 810.00 (large entity)

(The RCE fee is set at an amount equal to the basic filing fee of a utility application; small entity reduction is available.)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Small Entity

Non-Small Entity

Response filed within:

Response filed within:

\_\_\_\_ first -\$ 60.00

\_\_\_\_ first - \$ 120.00

\_\_\_\_ second -\$ 230.00

\_\_\_\_ second - \$ 460.00

\_\_\_\_ third -\$ 525.00

\_\_\_\_ third - \$1,050.00

\_\_\_\_ fourth -\$ 820.00

\_\_\_\_ fourth - \$1,640.00

\_\_\_\_ fifth -\$1,115.00

\_\_\_\_ fifth - \$2,230.00

month after time period set. month after time period set.

(less \$ \_\_\_\_\_ already paid for \_\_\_\_\_ month(s) extension of time on \_\_\_\_\_).

iii. Other

(RCE fee need not include excess claims fee for claims previously paid for)

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee	Rate	Additional Fee
Total	14	Minus	29	0		x 25	\$	x 50	\$
Indep.	5	Minus	3	2		x105	\$	x210	\$420.00
First Presentation of Multiple Dependent Claim						185	\$	+370	\$
TOTAL ADDITIONAL CLAIMS FEE							\$	Total	\$420.00

USSN - 10/658,376

c. The total fee due is therefore \$\_\_\_\_\_.

d. PAYMENT BY

i. ☐ Check (# ) in the amount of :

ii. Attached is Credit Card Authorization authorizing payment in the amount of \$1230.00.

iii. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4035

e. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (**except issue and publication fee**) which may be required in connection with this application, for this paper or any later filed paper, to Deposit Account No. 02-4035.

f. ☒ The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By: \_\_\_\_\_

Iyer P. Cooper  
Reg. No. 28,005

624 Ninth Street, N.W.  
Washington, D.C. 20001  
Telephone: (202) 628-5197  
Facsimile: (202) 737-3528  
IPC:lms  
G:\ipc\A-C\CHRH\NILSSON6B\ptorice.wpd